

Notice of Allowability

Application No.

10/009,075

Examiner

C. Melissa Koslow

Applicant(s)

ENDO ET AL.

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 03 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

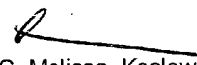
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


C. Melissa Koslow
Primary Examiner
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The references cited in the Search Report 31 July 2001, mailed to the PTO on 3 December 2001, have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO-1449 form, must be filed within ONE MONTH of the mailing date of this communication. NO EXTENSION OF TIME WILL BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b) to comply with this requirement.

It is noted that JP 09-167703 has been cited on the PTO-892 form. Accordingly, it will be listed on any patent resulting from this application.

The following is an examiner's statement of reasons for allowance:

The claimed powders, sintered bodies, multilayerd chip and process are not taught by the cited art of record. There is no teaching or suggestion in the cited art of a sintered body comprising a Z-type ferrite as the main phase and 0.5-20 wt% of a mixture of CuO and Bi₂O₃. The closest art is the translation of JP 09-167703, but there is no indication that the CuO exists within the grains while Bi₂O₃ exists in the grain boundaries. There is no teaching in the cited art of a powder or a sintered body comprising a Z-type ferrite as the main phase and 0.5-20 wt% of a mixture of CuO and Bi₂O₃ glass. There is no teaching or suggestion in the cited art of record of a powder or a multilayerd chip comprising a Z-type ferrite having the claimed grain size distribution range and surface area range. Uchikoba (U.S. Paten 6,127,296) is cited as of interest since it teaches a Z-type barium ferrite and a borosilicate glass mixture, but the particle size distribution, the surface area and amount of glass ranges are all outside the claimed ranges, with no motivation to adjust the sizes, areas and amounts so the fall within the claimed ranges. US

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Patent Application Publication 2003/224154 is cited as of interest since it claims a Z-type ferrite having a size distribution that overlaps that claimed, but it has a filing date after applicants' PCT filing date. Both Japanese references teach multilayered ferrite chip components, but there is no teaching of the size distribution of the powders, the grains or the surface area of the ferrite particles. While Nakano et al (U.S. patent 6,533,956) teaches to multilayered ferrite chip components where the size distribution of the powders, the grains or the surface area of the ferrite particles that overlaps those claimed, the ferrite is different from that claimed and taught. There is no motivation to use the particle sizes and surface areas of Nakano et al as the sizes and surface areas for the ferrites in the Japanese references.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa Koslow whose telephone number is (571) 272-1371. The examiner can normally be reached on Monday-Friday from 8:00 AM to 3:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Bell, can be reached at (571) 272-1362.

The fax number for all official communications is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmk
February 4, 2004


C. Melissa Koslow
Primary Examiner
Tech. Center 1700